

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES
NEW YORK BRANCH OFFICE**

MATSU CORP.
Respondent

Case 01-CA-214272

and

FLUSHING WORKERS CENTER,
Charging Party

**ORDER DENYING RESPONDENT'S REQUEST
FOR POSTPONEMENT OF TRIAL**

This matter was set for trial on March 29, 2018 for a hearing date of July 30. The complaint essentially consists of one allegation involving two discharges. On about June 20, Respondent changed counsel and on June 21, new counsel moved for a 60-day extension of the trial date, citing his out-of-country trip for two weeks; to investigate the allegation; and to engage in "meaningful settlement discussions." The counsel for the General Counsel opposes the motion, contending that 1) there is more than sufficient time for new counsel to prepare a defense from now until July 30; 2) the Respondent has never engaged in meaningful settlement discussions and can do so before July 30 and 3) there would be substantial harm to the two discharged employees, both having worked for Respondent for the past 15 years.

Upon my consideration, the Respondent's request for a postponement of the trial to September 28, 2018 is denied. The counsel's trip abroad does not conflict with the scheduled hearing date. The length of the continuance contemplated far exceeds the time necessary to prepare a defense on a relatively-straight forward discharge case where both parties agreed would be a minimum 2-day trial. The complaint is not complicated nor requiring a lengthy proceeding. *Franks Flowers Express*, 219 NLRB 149, 149-150 (1975). Finally, the parties are free to engage in meaningful settlement discussions from now until the hearing date.

The parties are ordered to appear as scheduled on July 30 at 9:30 a.m. in Region 29 for consecutive dates until the completion of trial.

Kenneth W. Chu

Kenneth W. Chu
Acting Associate Chief Administrative Law Judge

New York, New York
June 28, 2018

E-filed